



Case No.:
Patent Appln.

BENDE-008B

Handwritten initials/signature.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant's: Theodore V. Benderev)
Serial No.: ~~09/197,938~~ **733,455**)
Filed: November 23, 1998)
For: System & Method for Securing)
Sutures to Bone & Tissue)

Art Unit: 3731
Examiner: David O. Reip

PRELIMINARY A M E N D M E N T

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON D C 20231

Dear Sir/Madam:

Prior the examination of the above-identified continuation in part application, please amend such application as follows:

IN THE CLAIMS:

Please cancel Claims 1-5 without prejudice.

Please add the following new claims:

6. (New) A surgical implant for securing sutures, grafts, synthetic materials, and soft tissue to soft tissue at a selected target site comprising:

- (a) a piton member having proximal and distal ends, said distal end being operative to penetrate into and become embedded within said soft tissue at said target site, said piton member being manually positionable within the tissue such that said piton member defines a pathway of penetration therewithin;
- (b) an attachment member formed upon said proximal end of said piton member, said attachment member being designed to receive and securably hold said suture, graft or soft tissue; and

RECEIVED

MAY 08 2001

TECHNOLOGY CENTER R3700



3731

PTO/SB/21 (6-98)

Place a plus sign (+) inside this box → ☐

Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

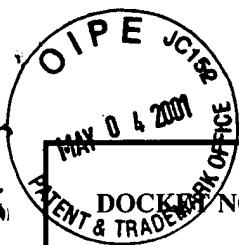
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	00197,989 9-733,455	
	Filing Date	November 23, 1998	
	First Named Inventor	Theodore V. Benderev	
	Group Art Unit	3731	
	Examiner Name	David O. Reip	
Total Number of Pages in This Submission	40	Attorney Docket Number	BENDE-008B

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Charge Any Additional Fee Required, to Deposit Account No. 19-4330	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> Amendment/Response	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69 and Accompanying Petition)	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	Declarations (3); Return Receipt Postcard and Certificate of Mailing.
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Small Entity Statement	RECEIVED
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
REMARKS: MAY 08 2001 TECHNOLOGY CENTER R3700		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	MATTHEW A. NEWBOLES STETINA BRUNDA GARRED & BRUCKER
Signature	
Date	4/27/01

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 4/27/01			
Typed or printed name	MICHELLE SCHROEDER		
Signature		Date	4/27/01

† SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231



DOCKET NO.: BENDE-008B

CERTIFICATE OF MAILING
UNDER 37 CFR 1.8 OR 37 CFR 1.10

☒ I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

BOX NON-FEE AMENDMENT
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

☐ I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Express Mail No. on the date indicated below and is addressed to:

RECEIVED

MAY 08 2001

TECHNOLOGY CENTER R3700

on April 27, 2001
(Date)

Signature

MICHELLE SCHROEDER

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

1. Transmittal;
2. Amendment (11 Pages);
3. Declaration of Theodore V. Benderev (12 Pages);
4. Declaration of Tom D. Thomas (9 Pages);
5. Declaration of Stephen DeSantis (6 Pages);
6. Certificate of Mailing; and
7. Return Receipt Postcard.